

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 08-12-16**

Date Published: December 11, 2008
For Work Week Commencing: December 15, 2008
Commission Meeting: December 16, 2008, 9:00 a.m.

General Introduction *This agenda is the Commission's Utility Division agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.*

Place of Meetings *All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.*

Live webcast *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.*

Inquiries *General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.*

Accommodation for Persons with Disabilities *Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.*

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission

1. Central Montana Communications, Inc. N2008.12.137 (Scott)

On December 1, 2008, Central Montana Communications, Inc. (CMC) requested to modify its Tariffs. The modifications were for Service Bundles Monthly Recurring Charges, Construction New Service One Applicant, Construction New Service Group of Applicants, and Construction Speculative Land Development. Probable Motion: Approve CMC request in N2008.12.137.

2. Qwest Corporation D2006.1.5 (Gary)

Qwest Corporation and 360networks (USA), Inc. - Interconnection Agreement
Amendment

Qwest has filed for approval with this Commission an interconnection agreement amendment in the above docket. This amendment adds a Collocation Power Usage Rate to the existing interconnection agreement. This amendment was voluntarily negotiated by the parties involved. Probable Motion: Move to approve the interconnection agreement amendment between Qwest Corporation and 360networks (USA), Inc. in Docket No. D2006.1.5.

Work Sessions All items identified below are for Commission discussion or

1. D2008.12.139 - Black Hills Power, Inc. – Petition for Certification of an Eligible Renewable Resource – Discuss and determine procedure in this docket. (12/16/08)
2. D2005.11.163 and D2005.11.164 – Utility Solutions , LLC – Applications for permanent water and sewer rates – Discuss and act on Utility Solutions’ motion to vacate procedural schedule. (12/16/08)
3. D2007.8.96 – Cut Bank Gas Company – Application for Approval of True-Up of Gas Tracking Adjustment – Review and discuss the Cut Bank Gas motion requesting permission to file supplemental testimony. (12/16/08)

4. PSC application to DNRC's Reclamation and Development Grants Program for "Geological Evaluation of Potential Sites for Compressed Air Energy Storage in Montana" - Update Commission on status and Bureau of Mines and Geology staffing concerns. (12/16/08)
5. D2005.6.105 – PSC Investigation of Qwest Corporation's use of Federal Universal Service Funds (FUSFs);
D2006.10.143 – Russell L Doty and Complainants vs. Qwest Corporation;
D2008.1.6 - PSC Investigation of Qwest Corporation regarding the justness and reasonableness of rates, schedules, and terms and conditions of service – Discuss any and all matters related to the above three dockets and get direction to issue the draft order in the matter of all three dockets. (12/16/08)
6. D2008.2.17 – Qwest Corporation – PSC Investigation of Qwest Corporation's Apparent Noncompliance with Order 5535g in 90.12.86 Related to Other Post Employment Benefits (OPEBs) – Get Commission direction. (12/16/98)

Other Meetings

12/16/08 2:00 p.m. – Presentation of the final report on the One-Call Stakeholder Survey conducted by PSC consultant, Warren Satterlee (Bollinger Room)

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Verizon Business Services N2008.12.141 (Scott)

On December 5, 2005, MCI Communications Services, Inc. d/b/a Verizon Business Services, requested to remove tariffs related to Large Business and Enterprise Customers from Montana Tariff No. 2 and move them to new Tariff No. 3 Dedicated to Large Business and Enterprise Customers.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2008.12.141 – MCI Communications Services, Inc. dba Verizon Business Services – Tariff Revisions: Remove Tariffs Related to Large Business and Enterprise Customers from Montana Tariff No. 2 and Move Them to New Tariff No. 3 Dedicated to Large Business and Enterprise Customers